

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

v.

RAYMOND HAYWOOD,

Defendant.

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Criminal No. 12-cr-00047

ORDER

AND NOW, this 8th day of March, 2024, upon consideration of Defendant's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 (ECF No. 58), and all papers submitted in support thereof or in opposition thereto, it is hereby **ORDERED** that said Motion is **DENIED**.¹

BY THE COURT:

/s/ John Milton Younge
Judge John Milton Younge

¹ Defendant Raymond Haywood filed this Motion on August 27, 2019, challenging his conviction under 18 U.S.C. § 924(c) for using a firearm in the commission of a crime of violence (ECF No. 58.) The predicate "crime of violence" offense was a completed Hobbs Act robbery in violation of 18 U.S.C. § 1951(a), wherein the Defendant, as he pled guilty to, participated in robbing a store at gunpoint. (ECF No. 58.) The Third Circuit recently held, in *United States v. Stoney*, 62 F.4th 108 (3d Cir. 2023), that a completed Hobbs Act robbery, as compared to an attempted Hobbs Act robbery, is a valid, predicate 924(c) "crime of violence." As such, Defendant's Motion is Denied.